

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

Machelle Thompson,

Plaintiff,

vs.

Richland County School District One, Sanita  
Savage Cousar and Susan Williams in their  
Official and individual capacities,

Defendant.

C.A. No.: 3:17-510-MBS

**NOTICE OF REMOVAL OF CIVIL  
ACTION TO THE UNITED STATES  
DISTRICT COURT**

Defendants, Richland County School District One, Sanita Savage Cousar and Susan Williams in their Official and individual capacities (hereinafter “Defendants”), by and through undersigned counsel, and pursuant to 28 U.S.C. §§ 1441(a), 1441(c) and 1446(a), hereby file this Notice of Removal, based on the following grounds:

1. Richland School District One, Sanita Savage Cousar, and Susan Williams are the Defendants in State Case No. 2017-CP-40-977, entitled “Machelle Thompson v. Richland County School District One, Sanita Savage Cousar and Susan Williams in their Official and individual capacities.”

2. Plaintiff commenced this action referred to in Paragraph 1 by filing her Summons and Complaint in the Richland County Court of Common Pleas, on or about February 21, 2017. Copies of the Summons and Complaint are attached as Exhibit A, and constitute all process, pleadings, and orders received by Defendant.

3. The present action is a civil action over which this Court has original jurisdiction under 28 U.S.C. § 1331 and is one which the Defendants may remove pursuant to the provisions

of 28 U.S.C. §§ 1441(a) and (c) because Plaintiff's claims arise under the laws of the United States.

4. Plaintiff alleges a violation of the Fair Labor Standards Act, and the statutory and case law of the State of South Carolina.

5. Therefore, the Complaint may be properly removed on the basis of federal question jurisdiction.

6. Plaintiff's State law claims under the South Carolina Whistleblower Protection Act, S.C. Code Ann. § 8-27-10 et seq.; under the South Carolina Payment of Wages Act, S.C. Code Ann. § 41-1-10 et seq; for defamation; for public policy discharge; and for civil conspiracy are subject to supplemental jurisdiction of this Court under 28 U.S.C. § 1367.

7. Venue for purposes of removal is proper in this Court pursuant to 28 U.S.C. § 1441(a).

8. This Notice of Removal of Civil Action is filed within thirty (30) days after receipt by Defendants, by service or otherwise, of a copy of the initial pleading setting forth the Plaintiff's claims for relief, and is therefore timely under 28 U.S.C. 1446(b).

9. Defendants will file a copy of this Notice of Removal with the Clerk of Court of Common Pleas of Richland County, South Carolina, and will give written notice of this Notice of Removal to the Plaintiff, the only adverse party, as required by 28 U.S.C. § 1446(d). A copy of these notices is attached hereto as Exhibit B.

10. Attached herewith as Exhibit C is Defendants' Local Rule 26.01 Interrogatories.

WHEREFORE, the Defendants pray that the above action now pending in the Court of Common Pleas of Richland County, South Carolina, be removed therefrom to this Court.

[Signature on Next Page]

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Attorneys for Richland County School District  
One, Sanita Savage Cousar and Susan Williams

February 23, 2017  
Columbia, South Carolina